

FORM PTO-1390  
(REV 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NO.

890050.505USPC

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**10/511876**

INTERNATIONAL APPLICATION NO.

PCT/JP03/05089

INTERNATIONAL FILING DATE

April 22, 2003

PRIORITY DATE CLAIMED

April 22, 2002

TITLE OF INVENTION

**OPTICAL RECORDING MEDIUM**

APPLICANT(S) FOR DO/EO/US

**Tetsuro Mizushima; and Jiro Yoshinari**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76
15. ☐ A substitute specification.
16. ☒ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 – 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

U.S. APPLICATION NO. (If known, see 37 CFR 1.55) <div style="font-size: 2em; font-weight: bold; text-align: center;">10/511876</div>		INTERNATIONAL APPLICATION NO. CT/JP03/05089		ATTORNEY'S DOCKET NUMBER 890050.505USPC	
---	--	--	--	--	--

  

21. <input checked="" type="checkbox"/> The following fees are submitted: <b>Basic National Fee (37 CFR 1.492(a)(1)-(5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <b>\$1110.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$950.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$790.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)..... <b>\$750.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b>  <div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div>	<b>CALCULATIONS PTO USE ONLY</b>																	
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	\$	.00																
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">Claims</th> <th style="width:20%;">Number Filed</th> <th style="width:20%;">Number Extra</th> <th style="width:20%;">Rate</th> </tr> <tr> <td>Total Claims</td> <td>12 - 20 =</td> <td>0</td> <td>x \$ 18.00</td> </tr> <tr> <td>Independent Claims</td> <td>1 - 3 =</td> <td>0</td> <td>x \$ 88.00</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$300.00</td> </tr> </table>	Claims	Number Filed	Number Extra	Rate	Total Claims	12 - 20 =	0	x \$ 18.00	Independent Claims	1 - 3 =	0	x \$ 88.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$300.00	\$	.00
Claims	Number Filed	Number Extra	Rate															
Total Claims	12 - 20 =	0	x \$ 18.00															
Independent Claims	1 - 3 =	0	x \$ 88.00															
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$300.00															
<b>TOTAL OF ABOVE CALCULATIONS =</b>	\$	950.00																
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.	\$	.00																
<b>SUBTOTAL =</b>	\$	950.00																
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).	\$	.00																
<b>TOTAL NATIONAL FEE =</b>	\$	950.00																
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property	\$	40.00																
<b>TOTAL FEES ENCLOSED =</b>	\$	990.00																
	<b>Amount to be refunded:</b>																	
	<b>Charged:</b>																	

  

a. <input checked="" type="checkbox"/> A check in the amount of <b>\$990</b> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. <b>19-1090</b> in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <b>19-1090</b> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.	<div style="border: 1px solid black; padding: 5px;"> <div style="font-size: 1.5em; font-family: cursive; text-align: center;">David V. Carlson</div> <div style="text-align: center;">SIGNATURE</div> <div style="text-align: center;"> <div style="border-bottom: 1px solid black; display: inline-block; width: 100%;"></div> <div style="font-weight: bold;">David V. Carlson</div> <div style="border-bottom: 1px solid black; display: inline-block; width: 100%;"></div> <div style="font-weight: bold;">NAME</div> </div> <div style="text-align: center;"> <div style="border-bottom: 1px solid black; display: inline-block; width: 100%;"></div> <div style="font-weight: bold;">31,153</div> <div style="border-bottom: 1px solid black; display: inline-block; width: 100%;"></div> <div style="font-weight: bold;">REGISTRATION NUMBER</div> </div> </div>
--	---

  

**NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

<b>David V. Carlson</b> Seed Intellectual Property Law Group PLLC 701 5 <sup>th</sup> Avenue, Suite 6300 Seattle, WA 98104-7092 United States of America (206) 622-4900	<div style="border: 1px solid black; padding: 5px; height: 100px;"> <div style="font-size: 1.5em; font-family: cursive; text-align: center;">David V. Carlson</div> </div>
--	--